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DIRECTORATE OF
INTELLIGENCE

MEMORANDUM

The Situation in Vietnam

State Dept. review completed

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Information as of 1600
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HIGHLIGHTS

The government and the Constituent Assembly appear to have agreed that the future legislature will not have the power to dismiss the prime minister, but only to recommend his dismissal to the president.

In North Vietnam, Communist MIGs were active against US aircraft, and a missile is credited with downing a B-66 electronics warfare aircraft.

I. The Military Situation in South Vietnam:
Ground action has been confined to small skirmishes in the northern provinces (Paras. 1-2). B-52 raids hit Communist military targets in the DMZ area and in Quang Nai and Binh Tuy provinces (Para.3). Viet Cong saboteurs took out a railroad bridge in Quang Nai Province and attacked an ammunition dump near Bien Hoa (Paras. 4-5).

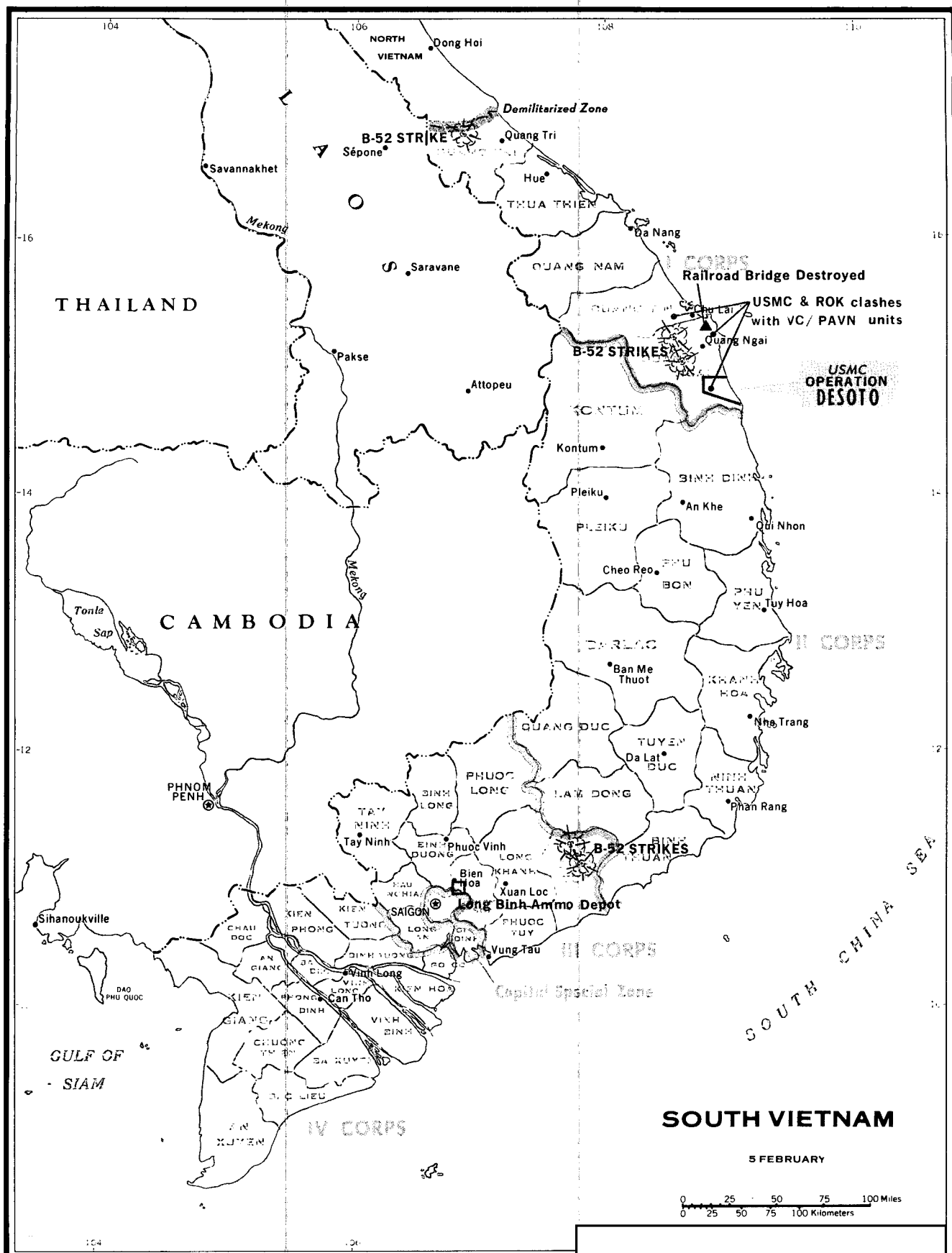
II. Political Developments in South Vietnam:
The government and the Constituent Assembly have apparently reached a compromise agreement on the powers that the legislature will wield under the new constitution (Paras. 1-3). There are other indications that consultations between the government and the assembly are moving ahead under favorable circumstances (Para.4). The Catholic community intends to play an active role in the upcoming presidential elections (Paras. 5-7). Former Defense Minister Co's supporters have been released from detention, but some will face prosecution for corruption (Para. 8).

III. North Vietnamese Military Developments:
DRV MIGs challenged US fighters on two occasions this weekend and an SA-2 missile is credited with downing a B-66 electronics warfare aircraft.

IV. Other Communist Military Developments:
There is nothing of significance to report.

V. Communist Political Developments: Communist propaganda claims that the Hanoi foreign minister's statement indicating a willingness to talk in exchange for a cessation of the bombings is a "serious" gesture of good will, ignored by US authorities (Paras. 1-3).

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I. THE MILITARY SITUATION IN SOUTH VIETNAM

1. No major ground actions were reported in South Vietnam during 4-5 February. The weekend's activity consisted chiefly of small-unit actions, B-52 raids, and Viet Cong sabotage attacks.

2. Most of the sporadic allied clashes with VC/PAVN units occurred in I Corps [REDACTED]

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[REDACTED] US Marines, operating in an area 10 miles west of Chu Lai, ended a two-day search-and-destroy mission in which one Viet Cong was killed and ten US Marines were wounded. Another USMC unit was attacked 24 miles south of Quang Ngai while participating in Operation DESOTO. The 11-man Marine squad successfully held off the estimated 60-man enemy force, but suffered losses of four killed and five wounded. VC casualties are unknown. South Korean Marines also reported two sharp contacts with enemy forces about nine miles northeast of Quang Ngai. Artillery and small-arms fire killed nine of the enemy, but eight Koreans were also lost in these two engagements.

3. B-52 raids reported on 4 February were directed against a suspected VC district headquarters 11 miles west-southwest of Quang Ngai and an area 11 miles west-northwest of the same city which is believed to be occupied by elements of the VC 1st and PAVN 21st regiments. Stratofortresses also struck a PAVN base camp in the Demilitarized Zone and two targets associated with the Viet Cong Sixth Military Region headquarters in Binh Tuy Province on 5 February.

4. Viet Cong saboteurs destroyed a railroad bridge 12 miles north of Quang Ngai on 4 February. The enemy squads overpowered South Vietnamese Regional and Popular Force troops guarding the bridge and detonated satchel charges.

5. Two US personnel were injured and approximately \$5 million worth of ordnance was lost as a result of the sabotage of the Long Binh ammunition

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dump on 3 February. Only ten of the 225 ammunition pads in the major complex six miles southeast of Bien Hoa were involved in the explosion and fire. A guard sighted four intruders in the area 40 minutes before the initial explosion occurred, but guards and sentry dogs were unable to apprehend any of the saboteurs.

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II. POLITICAL DEVELOPMENTS IN SOUTH VIETNAM

1. The government and the Constituent Assembly have apparently reached a compromise agreement on the powers that the legislature will wield under the new constitution. It is thus likely that assembly debate on this section of the draft constitution may be completed, or well under way, before the Tet recess begins about 8 February.

2. Tran Van An, a civilian member of the ruling Directorate, told US officials on 2 February that the Directorate and the Constituent Assembly have agreed that the Legislature will have the authority to "recommend" to the president that the prime minister or individual cabinet ministers be dismissed, but will not have the power to adopt a binding vote of no confidence against the government. Such a "compromise" presumably will assuage the military's worse fears concerning legislative control over the executive branch of government. It is not entirely clear, however, how this new "agreement" differs from the wording in the first draft constitution, which--if correctly translated--stipulates that the legislature only has the authority to "propose" the dismissal of individual ministers or the entire cabinet.

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3. An's assertion that an agreement of legislative powers has been reached has been at least partially confirmed

However, there is no indication how this agreement covers other controversial draft provisions such as the legislature's power to declare emergencies and to influence the judiciary and the inspectorate.

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4. There are other indications that consultations between the government and the assembly are moving ahead under favorable circumstances. General Pham Xuan Chieu, secretary general of the Directorate, told US officials on 3 February that he was pleased with the "reasonable" attitude now displayed by assembly deputies in ironing out an acceptable draft. Chieu asserted that the first draft was replete with internal contradictions and "impracticalities" which reflected the emotional state of the "immature" deputies. He claimed that the military fully appreciated that diplomatic skill and forbearance were at a premium in working with the deputies so that they do not feel that they are being pressured into accepting changes in the draft against their will. Chieu also indicated that after Tet, the consulting group will move on to the chapter dealing with the executive branch.

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Catholics and the Presidential Elections

5. The Catholic community intends to play an active role in the upcoming presidential elections but, at this juncture, it is not united on a candidate, according to a recent assessment by the US Embassy.

6. Southern Catholic spokesmen have told US officials that they are currently backing former premier Tran Van Huong for the presidency. Huong's reputation for honesty and his strong stand against the Buddhists during his short tenure as premier are apparently the basis for his strength among southern Catholics. Northern Catholic elements, however, are divided between Huong and Premier Ky. One leading northern Catholic politician, who heads the well-organized Greater Solidarity Forces political grouping, has told US officials that he has had several meetings with Ky in recent weeks and has urged him to organize a "political machine" for the elections.

7. Other potential candidates are not receiving much consideration from the Catholic leadership. Phan Khac Suu has apparently been ruled out because of his age and strong opposition to the former Diem government, and Chief of State Thieu is receiving little attention because of the uncertainty of his candidacy and what is believed to be his lack of interest in establishing close ties to the Catholic hierarchy.

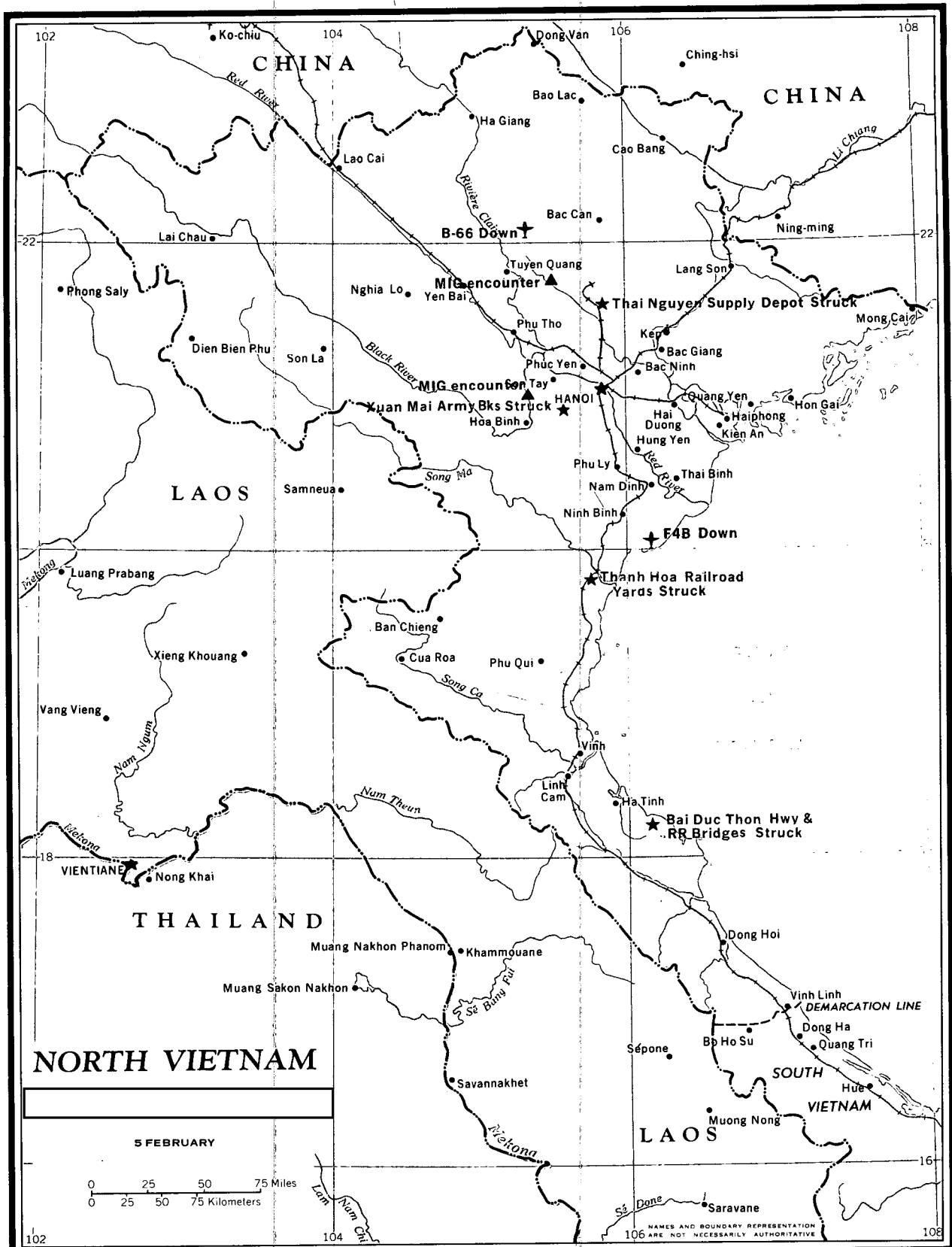
Release of Co's Supporters

8. The police have released the military officers taken into custody following the ouster of defense minister Co, with the exception of one of Co's closest associates.

about half of the approximately 30 freed officers have been discharged from the military service and some of them will be prosecuted for corrupt practices.

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III. MILITARY DEVELOPMENTS IN NORTH VIETNAM

1. North Vietnamese SAMs brought down a B-66 electronics warfare plane and MIGs challenged US fighters on two occasions over the weekend as weather conditions permitted a resumption of bombing attacks in the DRV.

2. The targets of the large-scale US air raids were the Thai Nguyen supply depot, the Xuan Mai army barracks, the Thanh Hoa railroad yards, and the highway and rail bridges at Bai Duc Thon. Initial reports indicate that heavy damage was inflicted on all the objectives. A US Navy F4B was lost to an unknown type of fire while conducting an armed reconnaissance mission about 30 miles northeast of Thanh Hoa.

3. Pilots attacking the Thai Nguyen supply depot and the Xuan Mai army barracks reported multiple missile firings, but no US planes were lost to SAMs on these raids. The B-66 electronics countermeasures aircraft destroyed by SA-2 missiles 70 miles north of Hanoi broke in half when struck by the third of seven missiles fired at it. Two of the six crewmen are believed to have parachuted successfully.

4. Two MIG-17s made a pass at four F-105s after they had bombed the supply depot at Thai Nguyen, but the attack was broken off when the US planes turned to meet the MIGs. One Sidewinder AAM was fired at the Communist fighters as they climbed away into some haze, but both MIGs and missile disappeared before the chances of a hit could be determined. In a second MIG encounter about 35 miles west-southwest of Hanoi, four F4Cs and eight MIG-17s exchanged cannon and missile fire for about ten minutes without loss to either side. Once again, a MIG-17 was observed disappearing into a cloud bank with a missile following it, but no kill could be confirmed.

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IV. OTHER COMMUNIST MILITARY DEVELOPMENTS

1. There is nothing of significance to report.

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V. COMMUNIST POLITICAL DEVELOPMENTS

1. As the temporary cease-fire during Tet approaches, Communist propaganda continues pressure for a permanent cessation of the bombings. In a 5 February party daily commentary on President Johnson's 2 February press conference, Hanoi claimed that world public opinion was demanding an end to the bombings, and concentrated on portraying the DRV position on negotiations in the best possible light--both the long-standing DRV four-point and VC five-point solutions and the 28 January statement by Foreign Minister Nguyen Duy Trinh hinting that North Vietnam would consider talks with the US if the bombings were stopped unconditionally. The commentary challenged President Johnson's statement that there had been "no serious" effort from the "other side" by characterizing Nguyen Duy Trinh's statement as "serious" and "full of good will." The commentary characterized the US President as "arrogant and bellicose" at his news conference, and said that he had "fully exposed the deceitful good will of the US toward peace."

2. Wilfred Burchette--the leftist journalist whose interview with the DRV foreign minister was chosen as the principal vehicle for Hanoi's public statement indicating willingness to talk in exchange for a cessation of the bombings--wrote another article from Hanoi on 3 February. In this second article, Burchette claimed that the DRV was confident that it had demonstrated its good will and was hoping that in spite of President Johnson's press conference, Washington would still show "the same modicum of good will." Only a Reuters Tokyo summary of the second Burchette article is available, but he reportedly quotes "observers" in Hanoi as saying that in the event talks should start, the Vietnamese would insist that a settlement be based on the DRV's four points. He claimed further that if the US would only "take a long, hard look at the four points, they would find a basis for settlement."

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3. Limited Soviet and Eastern European commentary charges that President Johnson's press conference ignored the DRV foreign minister's statement. One 5 February Moscow commentary in English praised the foreign minister's gesture and charged that the American Government had "rejected about seven attempts by North Vietnam, UN Secretary General U Thant, and other public figures to find a peaceful solution in Vietnam." Peking, demonstrating its current preoccupation with the intensified Sino-Soviet dispute, maintained that the recent talk about peace was part of a new "Soviet-US peace trap" using the bombing pause as bait to "induce peace talks through a halt in the bombings."

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